

REMARKS/ARGUMENTS

Claims 18–19 and 44 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. For the following reasons, the rejections have been obviated by the present amendments to claims 18 and 44.

Claim 18 has been amended to clarify that the claw position detecting part has a switch the state of which is switched based on a position of the claw, and detects the claw based on the state of the switch. Claim 18 has also been amended to clarify that determining part determines that the insertion of the cartridge is in a correct orientation when the inputted detection result from the claw position detecting part indicates that the claw protrudes into the recessed part, and determines that the insertion of the cartridge is in an incorrect orientation when the inputted detection result from the claw position detecting part indicates that the claw protrude does not into the recessed part.

Claim 44 has been amended to clarify that the determining part determines that the insertion of the cartridge is not in a correct orientation when the claw protrudes into the recessed part, and determines that the insertion of the cartridge is in an incorrect orientation when the inputted detection result from the claw position detecting part indicates that the claw protrude does not into the recessed part.

For the above reasons, claims 18–19 are now sufficiently definite for purposes of 35 U.S.C. 112, second paragraph. Accordingly, Applicants respectfully request that the rejection be withdrawn.

With regard to the claim rejections made under 35 U.S.C. 102 and 103, claims 13, 18, 21, 23, 24 and 44 have been amended to cancel the language relating to an optical disk, thereby limiting the claimed cartridge to one including a housing that has a recessed part opened to one

side of the cartridge and disposed at positions other than a central position of the cartridge, and a magnetic tape reel.

One of the features of the device according to the present application is to prevent a cartridge, which includes a housing that has a recessed part opened to one side of the cartridge and disposed at positions other than a central position of the cartridge, and a magnetic tape reel, from being inserted in incorrect orientation. The device according to the present application utilizes a reel base of the above cartridge to surely insert the cartridge into the cartridge storage space in correct orientation. This feature allows the device to prevent the cartridge from being inserted in any incorrect orientation regardless of existence of any notch or the like for preventing the cartridge to being inserted to the drive in incorrect orientation since the recessed part is opened to one side of the cartridge and disposed at the position other than central position of the cartridge.

The device according to the present application is useful for, for example, a device having a turntable and an inserting port for receiving a cartridge, which is different from an inserting port of a drive for reproducing the data recorded in the cartridge (See FIG. 1 of the present application). The device according to the present application ensures inserting the cartridge into the drive in the correct orientation by ensuring the mounting of the cartridge on the turntable in correct orientation, which can be opposite from the orientation required for inserting the cartridge into the drive, regardless of existence of a well-known notch for preventing the cartridge to being inserted to the drive in incorrect orientation.

Takai et al. (U.S. Patent No. 5,537,377) (hereinafter "Takai") and Tomita (U.S. Patent No. 4,853,916) (hereinafter "Tomita"), upon which the claim rejections are based, disclose mechanisms for preventing disks from being inserted in incorrect orientation. Nonetheless, both

Tomita and Takai fail to disclose or suggest the mechanism of the present application for preventing cartridge includes a housing that has a recessed part opened to one side of the cartridge and disposed at positions other than a central position of the cartridge, and a magnetic tape reel, from being inserted in incorrect orientation.

Claims 13–16 were rejected under 35 U.S.C. 102(b) as being anticipated Takai. For the following reasons, the rejection has been rendered moot by the amendment.

Regarding amended claim 13, Takai does not teach a “device for preventing an incorrect insertion of a cartridge into a cartridge storage space, the cartridge including a housing that has a recessed part opened to one side of the cartridge and disposed at positions other than a central position of the cartridge, and *a magnetic tape reel, the recessed part being used for inserting a reel base that engages with the magnetic tape reel,*” as now required. As mentioned above, Takai describes a mechanism for use with a cartridge that houses a *disk-shaped recording medium*. Thus, of Takai does not any recessed part in its cartridge being used for inserting a reel base that engages with a *magnetic tape* reel, as required by claim 13. Since every limitation of the claim is not taught by the cited reference, claim 13 and its dependent claims 14–16 are not anticipated by Takai.

Claims 21–28 and 44 were rejected under 35 U.S.C. 103(a) over Tomita in view of Takai. For the following reasons, the rejection has been rendered moot by the amendment.

Regarding claims 21 and 44, Tomita in view of Takai does not teach or suggest a device for “preventing an incorrect insertion of a cartridge into a cartridge storage space, the cartridge including a housing that has a recessed part opened to one side of the cartridge and disposed at positions other than a central position of the cartridge, and *a magnetic tape reel, the recessed part being used for inserting a reel base that engages with the magnetic tape reel,*” as now

required. As mentioned above, Tomita describes a mechanism for use a plurality of cartridge discs, each of which is a disc contained within a cartridge. As described above with regard to claim 13, Takai's teachings relate to cartridges that house disk-shaped recording mediums. Neither reference teaches or suggests a cartridge that would have a recessed part that is used for inserting a reel base that engages with a *magnetic tape* reel, as required by claims 21 and 44. Therefore, since every limitation of the claims not taught or suggested by Tomita, Takai or any combination thereof, claims 21 and 44 are patentable over the prior art of record. Further, since claims 22-28 depend from claim 21, they are patentable for the same reasons.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36418.

Respectfully submitted,
PEARNE & GORDON, LLP

By: 
Aaron A. Fishman – Reg. No. 44,682

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

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